IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE V.RAMKUMAR

WEDNESDAY, THE 10TH JANUARY 2007 / 20TH PAUSHA 1928

Bail Appl..No. 7788 of 2006(N)

CRIME NO. 181/01 OF TANUR POLICE STATION

PETITIONER/ACCUSED

NEELAKATH MUSTAFA,
S/O.MOIDEENKUTTY, OMACHAPUZHA HOUSE,
MANALIPUZHA, MALAPPURAM.

BY ADV. SRI.DILIP MOHAN

RESPONDENTS: STATE/COMPLAINANT

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1. STATE OF KERALA,
REP. BY THE PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM.

2. STATION HOUSE OFFICER,
TANOOR POLICE STATION,
TANOOR.

BY PUBLIC PROSECUTOR SRI.P.N. SUKUMARAN

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 10/01/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

V. RAMKUMAR, J.

Bail Application No. 7788 of 2006

DATED: January 10, 2007

O R D E R

Petitioner who is the 2nd accused in Crime No. 181/01 of Tanur Police Station for offences punishable under Sections 143, 147, 148, 447, 341, 323 and 324 read with Sec. 149 I.P.C., seeks anticipatory bail.

2. The learned counsel for the petitioner would submit that the matter has been settled between the de facto complainant and the accused persons. But that is not a ground for granting anticipatory bail in a case where admittedly non-bailable warrant of arrest is pending against the petitioner. The case is now pending before the J.F.C.M. Parappanangadi as C.C.1082/01.

3. There is no reason why the petitioner should not surrender before the Magistrate concerned and seek regular bail. Accordingly, if the petitioner surrenders before the Magistrate concerned and files an application for regular bail within two weeks from today, the same shall be considered and disposed of preferably on the same date on which it is filed.

With the above observation this application is dismissed.

V.RAMKUMAR, JUDGE.

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